

House Study Bill 5

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1 1 HOUSE RESOLUTION NO. ____
1 2 BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION
1 3 BY CHAIRPERSON RAECKER)
1 4 A Resolution relating to the rules governing lobbyists
1 5 in the House of Representatives.
1 6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 7 That the House Rules Governing Lobbyists shall be as
1 8 follows:
1 9 HOUSE RULES GOVERNING LOBBYISTS
1 10 1. DEFINITIONS OF TERMS. As used in these rules,
1 11 "client", "gift", "immediate family member",
1 12 "lobbyist", and "person" have the meanings provided in
1 13 section 68B.2 of the Code, except that the terms
1 14 "lobbyist" and "client" shall only refer to persons
1 15 who are lobbyists or clients of lobbyists of the house
1 16 of representatives. Except as otherwise provided,
1 17 "employee of the house" means a full-time permanent
1 18 paid employee of the house of representatives.
1 19 2. REGISTRATION REQUIRED.
1 20 a. All lobbyists shall, on or before the day their
1 21 lobbying activity begins, register in the manner
1 22 provided under section 68B.36 of the Code. Lobbyist
1 23 registration forms shall be available in the office of
1 24 the chief clerk of the house.
1 25 b. In addition each registered lobbyist shall file
1 26 with the chief clerk of the house a statement of the
1 27 general subjects of legislation in which the lobbyist
1 28 is or may be interested, the file number of the bills
1 29 and resolutions and the bill number of study bills, if
1 30 known, which will be lobbied, whether the lobbyist
2 1 intends to lobby for or against each bill, resolution,
2 2 or study bill, if known, and on whose behalf the
2 3 lobbyist is lobbying the bill, resolution, or study
2 4 bill.
2 5 Any change in or addition to the information
2 6 required by this rule shall be registered with the
2 7 chief clerk of the house within ten days from the time
2 8 the change or addition is known to the lobbyist.
2 9 3. CANCELLATION OF REGISTRATION. If a lobbyist's
2 10 service on behalf of a particular employer, client, or
2 11 cause is concluded after the lobbyist registers but
2 12 before the first day of the next legislative session,
2 13 the lobbyist shall cancel the registration in the
2 14 manner required under section 68B.36 of the Code.
2 15 Upon cancellation of registration, a person is
2 16 prohibited from engaging in any lobbying activity on
2 17 behalf of that particular employer, client, or cause
2 18 until reregistering and complying with the
2 19 requirements of section 68B.36 of the Code.
2 20 3A. AMENDMENT OF REGISTRATION. If a registered
2 21 lobbyist represents more than one employer, client, or
2 22 cause and the lobbyist's services are concluded on
2 23 behalf of a particular employer, client, or cause
2 24 after the lobbyist registers but before the first day
2 25 of the next legislative session, the lobbyist shall
2 26 file an amendment to the lobbyist's registration
2 27 indicating which employer, client, or cause is no
2 28 longer represented by the lobbyist and the date upon
2 29 which the representation concluded.
2 30 If a lobbyist is retained by one or more additional
3 1 employers, clients, or causes after the lobbyist
3 2 registers but before the first day of the next
3 3 legislative session, the lobbyist shall file an
3 4 amendment to the lobbyist's registration indicating
3 5 the employer, client, or cause to be added and the
3 6 date upon which the representation begins.
3 7 Amendments to a lobbyist's registration regarding
3 8 changes which occur during the time that the general
3 9 assembly is in session shall be filed within one
3 10 working day after the date upon which the change in

3 11 the lobbyist's representation becomes effective.
3 12 Amendments regarding changes which occur when the
3 13 general assembly is not in session shall be filed
3 14 within ten days after the date upon which the change
3 15 in the lobbyist's representation becomes effective.
3 16 4. PUBLIC ACCESS. All information filed by a
3 17 lobbyist or a client of a lobbyist under chapter 68B
3 18 of the Code is a public record and open to public
3 19 inspection at any reasonable time.
3 20 5. CHARGE ACCOUNTS. Lobbyists and the clients
3 21 they represent shall not allow members of the house to
3 22 charge any amounts or items to a charge account to be
3 23 paid for by those lobbyists or by the clients they
3 24 represent.
3 25 6. ACCESS TO HOUSE FLOOR. Lobbyists shall only be
3 26 permitted on the floor of the house pursuant to rule
3 27 20 of the rules of the house.
3 28 7. FEE OR BONUS PROHIBITED. A fee or bonus shall
3 29 not be paid to any lobbyist with reference to any
3 30 legislative action that is conditioned wholly or in
4 1 part upon the results attained by the lobbyist.
4 2 8. OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY.
4 3 A lobbyist, employer, or client of a lobbyist shall
4 4 not offer economic or investment opportunity or
4 5 promise of employment to any member of the house with
4 6 intent to influence conduct in the performance of
4 7 official duties.
4 8 9. PERSONAL OR FINANCIAL OBLIGATION. A lobbyist
4 9 shall not do anything with the purpose of placing a
4 10 member of the house under personal or financial
4 11 obligation to a lobbyist or a lobbyist's principal or
4 12 agent.
4 13 10. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT. A
4 14 lobbyist shall not cause or influence the introduction
4 15 of any bill or amendment for the purpose of being
4 16 employed to secure its passage or defeat.
4 17 11. CAMPAIGN SUPPORT. A lobbyist shall not
4 18 influence or attempt to influence a member's actions
4 19 by the promise of financial support for the member's
4 20 candidacy or threat of financial support for an
4 21 opposition candidate. A lobbyist shall not make a
4 22 campaign contribution to a member or to a member's
4 23 candidate's committee during the time that the general
4 24 assembly is in session.
4 25 12. COMMUNICATION WITH MEMBER'S EMPLOYER
4 26 PROHIBITED. A lobbyist shall not communicate with a
4 27 member's employer for the purpose of influencing a
4 28 vote of the member.
4 29 13. EXCESS PAYMENTS. A lobbyist shall not pay or
4 30 agree to pay to a member a price, fee, compensation,
5 1 or other consideration for the sale or lease of any
5 2 property or the furnishing of services which is
5 3 substantially in excess of that which other persons in
5 4 the same business or profession would charge in the
5 5 ordinary course of business.
5 6 14. PROHIBITION AGAINST GIFTS. A lobbyist or
5 7 client of a lobbyist shall not, directly or
5 8 indirectly, offer or make a gift or series of gifts to
5 9 any member or full-time permanent employee of the
5 10 house or the immediate family members of a member or
5 11 full-time permanent employee of the house except as
5 12 otherwise provided in section 68B.22 of the Code. A
5 13 lobbyist or client of a lobbyist who intends or plans
5 14 to give a nonmonetary item, other than food or drink
5 15 consumed in the presence of the donor, which does not
5 16 have a readily ascertainable value, to a member or
5 17 full-time permanent employee of the house, prior to
5 18 giving or sending the item to the member or employee,
5 19 shall seek approval of the item from the chief clerk
5 20 of the house. A lobbyist or client of a lobbyist who
5 21 seeks approval of an item from the chief clerk shall
5 22 submit the item and evidence of the value of the item
5 23 at the time that approval is requested.
5 24 A lobbyist shall inform each of the lobbyist's
5 25 clients of the requirements of section 68B.22 of the
5 26 Code and of the responsibility to seek approval prior
5 27 to giving or sending a nonmonetary item which does not
5 28 have a readily ascertainable value to a member or a
5 29 full-time permanent employee of the house.
5 30 15. FINANCIAL TRANSACTIONS. A lobbyist shall not,
6 1 directly or indirectly, make a loan to a member of the

6 2 house or to an employee of the house.
6 3 A loan prohibited under this section does not
6 4 include a loan made in the ordinary course of business
6 5 of a lobbyist if the primary business of the lobbyist
6 6 is something other than lobbying, if consideration of
6 7 equal or greater value is received by the lobbyist,
6 8 and if fair market value is given or received for the
6 9 benefit conferred.
6 10 16. HONORARIA == RESTRICTIONS. A lobbyist or
6 11 client of a lobbyist shall not pay an honorarium to a
6 12 member or employee of the house for a speaking
6 13 engagement or other formal public appearance in the
6 14 official capacity of the member or employee except as
6 15 otherwise provided in section 68B.23 of the Code.
6 16 17. COMPLAINTS. The procedures for complaints and
6 17 enforcement of these rules shall be the same as those
6 18 provided in the house code of ethics.
6 19 18. PROCEDURES AND FORMS. The chief clerk of the
6 20 house, subject to the approval of the house ethics
6 21 committee, shall prescribe procedures for compliance
6 22 with these rules, and shall prepare forms for the
6 23 filing of complaints and make them available to any
6 24 person.
6 25 LSB 1559HC 81
6 26 tm/cf/24